

**PLANNING COMMISSION  
MEETING AGENDA  
SPECIAL/STUDY MEETING**

500 W. Big Beaver  
Troy, MI 48084  
(248) 524-3364  
www.troymi.gov  
planning@troymi.gov

---

**September 25, 2012**

**7:00 P.M.**

**Council Board Room**

---

1. ROLL CALL
2. APPROVAL OF AGENDA
3. MINUTES – September 11, 2012 Regular Meeting
4. PUBLIC COMMENT – For Items Not on the Agenda
5. ZONING BOARD OF APPEALS (ZBA) REPORT
6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT
7. PLANNING AND ZONING REPORT

**ZONING ORDINANCE TEXT AMENDMENT**

8. ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 244) – Miscellaneous Zoning Ordinance Revisions

**OTHER BUSINESS**

9. PUBLIC COMMENT – Items on Current Agenda
10. PLANNING COMMISSION COMMENT

ADJOURN

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto:clerk@troymi.gov) or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Chair Tagle called the Regular meeting of the Troy City Planning Commission to order at 7:01 p.m. on September 11, 2012 in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

- Donald Edmunds
- Michael W. Hutson
- Edward Kempen
- Tom Krent
- Philip Sanzica
- Robert Schultz
- Thomas Strat
- John J. Tagle

Absent:

- Gordon Schepke

Also Present:

- R. Brent Savidant, Planning Director
- Susan Lancaster, Assistant City Attorney
- Ben Carlisle, Carlisle/Wortman Associates, Inc.
- Eric Huang, Student Representative
- Kathy L. Czarnecki, Recording Secretary

Chair Tagle asked for a moment of silence in memory of September 11, 2001 victims, their families and loved ones.

2. APPROVAL OF AGENDA

**Resolution # PC-2012-09-061**

- Moved by: Schultz
- Seconded by: Strat

**RESOLVED**, To approve the Agenda as prepared.

- Yes: All present (8)
- Absent: Schepke

**MOTION CARRIED**

3. APPROVAL OF MINUTES

**Resolution # PC-2012-09-062**

- Moved by: Edmunds
- Seconded by: Schultz

**RESOLVED**, To approve the minutes of the August 28, 2012 Special/Study meeting as published.

Yes: All present (8)  
 Absent: Schepke

**MOTION CARRIED**

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

**PRELIMINARY SITE PLAN REVIEW**

5. PRELIMINARY SITE PLAN REVIEW (File Number SP 978) – Proposed Troy 7-Eleven, Southeast Corner of Crooks and Wattles (3984 Crooks), Section 21, Currently Zoned NN (Neighborhood Node “I”) District

Mr. Carlisle gave a review of the site plan application, specifically addressing the intent of the NN zoning district, the plan’s deficiency of one tree along Crooks Road and the Zoning Ordinance requirement to turn off or reduce lighting between the hours of 11:00 p.m. and sunrise. Mr. Carlisle indicated support for the application and recommended approval.

The petitioner, Joshua Knott of Harrison French & Associates, was present. Mr. Knott said the 7-Eleven store would be a 24-hour operation and expressed concern to comply with the requirement of dimming lights between 11 p.m. and sunrise. He asked to what degree the lights should be dimmed and if the Board would consider waiving the requirement for the safety of store customers and employees.

Mr. Carlisle replied the Zoning Ordinance does not actually stipulate foot-candle requirements with respect to dimming. He stated that exceptions to the requirement can be granted where there is a security and safety concern.

There was discussion on the photometric plan as follows:

- Submission to Board members.
- Intent of Zoning Ordinance requirements.
- Shielding, spillage, dark sky, LED intensity, glare, height of poles.

The petitioner was commended on the plan’s stormwater retention.

Mr. Schultz suggested that a canopy be placed on the south elevation also.

**Resolution # PC-2012-09-063**

Moved by: Sanzica  
 Seconded by: Edmunds

**RESOLVED**, That Preliminary Site Plan Approval, pursuant to Article 8 of the Zoning Ordinance, as requested for the proposed Troy 7-Eleven, located on the southeast

corner of Crooks and Wattles (3984 Crooks), Section 21, within the NN (Neighborhood Node) district, be granted, subject to the following:

1. Address required site plan information identified in the report prior to Final Site Plan approval.
2. That the requirement to turn off or dim lighting between the hours of 11:00 p.m. and sunrise be waived.

Yes: All present (8)  
 Absent: Schepke

**MOTION CARRIED**

**CONDITIONAL REZONING REQUEST**

6. CONDITIONAL REZONING APPLICATION (File Number CR 006) – Proposed Troy Plaza, West side of Crooks, South of Square Lake (5500 New King), Section 8, From PUD 13 (Planned Unit Development 13) to CB (Community Business) and OM (Office Mixed Use) Districts

Mr. Carlisle reviewed the recent revisions and multiple phases to the proposed Conditional Rezoning application. In summary, Mr. Carlisle said the application meets Zoning Ordinance requirements and the intent of the Master Plan. He recommended approval to the City Council for the Conditional Rezoning; further recommended approval for the Special Use for the retail building drive-through and McDonald’s restaurant drive-through and Preliminary Site Plan approval conditioned on satisfying requirements upon Final Site Plan approval as specified in his report dated September 4, 2012.

Mr. Savidant reported the petitioner and staff met and had a productive meeting. He commended the petitioner on the revised plan.

The petitioner, Mike Gordon of Moiseev/Gordon Associates, was present. Mr. Gordon expressed confidence that he would be back before the Planning Commission for site plan approval on the second phase before the end of the year.

There was discussion on the following:

- Setbacks to the south, along Corporate Drive.
- Internal circulation.
- Landscaping; i.e., plant list (boxwood), saving trees.
- Retention pond.
- Photometric plan; i.e., shielding, intensity, pole height.
- Condition “C” as stated in petitioner letter, dated ‘revised September 11, 2012’, in relation to building, building footprint and parking lot design.

**Resolution # PC-2012-09 -**

Moved by: Schultz

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the PUD to OM and CB Conditional Rezoning request, as per Section 16.04 of the City of Troy Zoning Ordinance, located on the west side of Crooks, north side of New King (5500 New King), in Section 8, being approximately 6 acres in size, be granted, for the following reasons:

1. The application is consistent with the Master Plan.
2. The application is compatible with existing zoning districts and land uses.
3. The applicant has proposed conditions that reduce potential impacts of the proposed CB and OM districts on abutting properties.

**Discussion.**

Mr. Tagle asked that the Resolution make reference to the petitioner’s correspondence dated “Revised September 11, 2012”, with respect to Condition “C”, and to clarify future restaurant building pad parameters; i.e., details of the building pad including building pad outdoor plaza.

Mr. Savidant assured the Board that planning and administrative approval would be clarified in the Conditional Rezoning Agreement and would be documented by the petitioner’s correspondence and the Board’s Resolution.

Discussion continued on the lighting with respect to shielding and quality.

Chair Tagle noted the photometric plan complies with the requirements of the Zoning Ordinance.

Ms. Lancaster reminded the Board that only the petitioner can offer conditions to a proposed Conditional Rezoning and that the Board cannot require conditions.

The following motion was supported and subsequently voted on.

**Resolution # PC-2012-09-064**

Moved by: Schultz

Seconded by: Edmunds

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the PUD to OM and CB Conditional Rezoning request, as per Section 16.04 of the City of Troy Zoning Ordinance, located on the west side of Crooks, north side of New King (5500 New King), in Section 8, being approximately 6 acres in size, be granted, for the following reasons:

1. The application is consistent with the Master Plan.
2. The application is compatible with existing zoning districts and land uses.
3. The applicant has proposed conditions that reduce potential impacts of the proposed CB and OM districts on abutting properties.

**BE IT FURTHER RESOLVED**, That the Planning Commission recommends the following condition:

1. The details of the building pad including the building and outdoor plaza as represented in the petitioner’s correspondence dated “Revised September 11, 2012” shall be subject to planning approval and be modified by administrative approval within their jurisdiction.

Yes: All present (8)  
Absent: Schepke

**MOTION CARRIED**

**OTHER BUSINESS**

7. PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

8. PLANNING COMMISSION COMMENTS

There was general Planning Commission discussion.

The Regular meeting of the Planning Commission adjourned at 8:03 p.m.

Respectfully submitted,

---

John J. Tagle, Chair

---

Kathy L. Czarnecki, Recording Secretary

DATE: September 20, 2012  
TO: Planning Commission  
FROM: R. Brent Savidant, Planning Director  
SUBJECT: ZONING ORDINANCE TEXT AMENDMENT (File Number ZOTA 244) –  
Miscellaneous Zoning Ordinance Revisions

The City of Troy Zoning Ordinance was adopted in April 2011. Prior to adoption, it was anticipated there would be some revisions that would be necessary once staff, the Planning Commission and applicants had an opportunity to use the document. The revisions will fix inconsistencies, clarify provisions and generally make the document easier to use and understand.

The attached report prepared by Carlisle/Wortman Associates, Inc. summarizes the revisions.

It may take numerous meetings to discuss the revisions. Following our discussions, a Public Hearing will be scheduled to solicit input.

Attachments:

1. Report prepared by CWA

G:\ZOTAs\ZOTA 244 Miscellaneous Zoning Ordinance Revisions\PC Memo 09 24 2012.doc



CARLISLE

WORTMAN  
associates, inc.

605 S. Main Street, Ste. 1  
Ann Arbor, MI 48104

(734) 662-2200

(734) 662-1935 Fax

## MEMORANDUM

**TO:** R. Brent Savidant, AICP, Planning Director

**FROM:** Ben Carlisle, AICP

**DATE:** September 19, 2012

**RE:** Zoning Ordinance Amendments

---

The City of Troy Zoning Ordinance was adopted in April 2011. It is common that a year or so after the adoption of a new zoning ordinance, staff, planning commissioners, and outside interests identify specific language and other clarifications that need further discussion and potential amendments. Many of the proposed amendments are minor (capitalization, consistency in labeling, etc); however some considerations for amendments are substantive.

As part of the process of reviewing the existing ordinance, we have identified twelve (12) substantive and fourteen (14) minor amendments changes. Listed below are the cumulative twenty-five (26) amendments for consideration. For the substantive amendments we have provided a detailed explanation and proposed ordinance language. For the typographical errors we have simple listed the existing language and the proposed ordinance language. If requested we can provide additional information.

### Substantive Amendments:

Each amendment has three parts: 1). the ordinance section number, page number, and existing ordinance language; 2). details outlining the proposed text amendment and explanation as to why the amendment is warranted; and 3). the proposed amended language. Removed text is ~~struck through~~ and proposed new ordinance language is underlined.

- 1. Section 4.13.D.4.a (CB District Page 72) :** *Parking shall not be located in the front yard.*  
**Section 4.14.D.4.a (GB District Page 76) :** *Parking shall not be located in the front yard.*  
**Section 4.15.D.4.a (O District Page 84) :** *Parking shall not be located in the front yard.*  
**Section 4.18.D.5.a (RC District Page 92) :** *Parking shall not be located in the front yard.*

**Issue:** The parking requirements for districts CB, GB, O, and RC do not allow parking in the front yard. Front Yard is defined as "An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building." Hence due to the definition of front yard, parking is not permitted in the front

of any building these districts, regardless of how far back the actual building is from the street. In conversations between with staff it is unclear if the intent was to preclude any parking in front of the building. Irrespective of the intent, in these auto-oriented commercial and office districts a limited parking in front of the building, but outside of the required front yard, should be permitted. Unlike form-based districts, where there is a requirement to place buildings up to the street in order to create pedestrian forms and street presence, developments in these districts are more auto-oriented.

One of the primary justifications for limiting parking in front of the building is to ensure that the parking is does not dominate the front façade, as well as ensure that the building is able to create some street presence. However, in these districts there already exists language in the ordinance that state “No more than fifty (50) percent of the total site’s linear feet along the front building line shall be occupied by parking lot.” This requirement limits the total amount of parking in front of the building and mitigates concerns that parking would dominate parking in the front yard.

Please note that an amendment to the parking location for these sections will not amend any parking location requirement in form-based districts.

**Proposed Amendment Language:**

Section 4. Off-Street Parking Location.

- a. ~~Parking shall not be located in the front yard.~~
- b. No more than fifty (50) percent of the total site’s linear feet along the front building line shall be occupied by parking lot.

**2. Section 4.21 Schedule of Use Regulations Table (Page 101):** Reclassify selective automotive limited automotive and transportation uses in the IB district from Special to Permitted.

**Current Ordinance:**

Use	IB
Vehicle, recreational vehicle sales	S
Vehicle repair stations	S
Vehicle fueling/multi-use stations	S
Vehicle washes	S
Vehicle auctions	S
Antique and classic vehicle sales	S
Ambulance facilities	S
Vehicle rental	S

**Issue:** Recognizing that some of the area devoted to manufacturing and industrial uses may be outdated and conducive to redevelopment of other uses, the IB District was created. The IB District is intended to continue to recognize more traditional manufacturing and industrial use; however encourage redevelopment and reuse of existing buildings and sites by permitting other compatible uses. The IB District recognizes the difficulty of certain sites for redevelopment and

open up the list of uses accordingly. As such, the IB District permits a multitude of uses by-right ranging from multiple-family residential to shopping centers to light and medium industrial uses. However, automobile uses are the only category of uses that require special uses. Many concerns associated with further opening the IB District Use and potential impact upon surrounding properties, are mitigated through the special use process for drive-through uses, limitation on outdoor storage, and landscape transitions between incompatible uses.

We recommend that certain uses in the Automotive/Transportation category that have minimal exterior impacts be allowed by-right.

**Proposed Amendment Language:**

Use	IB
Vehicle, recreational vehicle sales	S, P
Vehicle repair stations	S, P
Vehicle fueling/multi-use stations	S
Vehicle washes	S
Vehicle auctions	S
Antique and classic vehicle sales	S, P
Ambulance facilities	S, P
Vehicle rental	S, P

**3. Section 4.21 Schedule of Use Regulations Table (Page 101):** Add “Oil Change Facility” into Automotive/Transportation Use group. Classify use as Permitted or Special based on district.

**Issue:** Oil change facilities are not a listed use in the Schedule of Use Regulations. In previous practice oil facilities were treated similar to vehicle repair. However, oil change facilities are a common use that have different impacts than other vehicle repair and other automobile uses. In addition, vehicle repair has defined supplemental use regulations as listed in Section 6.26, of which are not applicable to oil change facility operations. Oil change facilities should be added and classified as a Permitted or Special Use based on district.

**Proposed Amendment Language:**

Section 4.21:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Vehicle Repair Facility	NP	NP	NP	NP	NP	NP	NP	NP	S	S	NP	NP	NP	S	NP
<u>Oil Change Facility</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>

**4. Section 4.21 Schedule of Use Regulations Table (Page 101):** Add “Wireless Communication Facility (free standing tower)” into miscellaneous group. Classify use as Permitted or Special based on district. (Note: see section 6.30)

**Issue:** Wireless Communication Facilities are a use defined in Article 2 (definitions) and have specific use standards outlined in Section 6.30, but are not a listed use in the Schedule of Use Regulations. Wireless Communications, both attached to existing building and free-standing tower, are a common use that should be added to the use table. Due to different visual effects and potential for secondary impact, free standing towers should require greater regulations in regards to both ability to be located in certain districts and requirement to obtain special use approval in others. Wireless communication facilities located on existing structures are permitted in all districts provided that they meet those supplemental use regulations listed in Section 6.30.B.1.

All Wireless communication facilities still must comply with Section 6.30.

**Proposed Amendment Language:**

Section 4.21:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
<u>Wireless Communication Facility (complies with section 6.30.B.1)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Wireless Communication Facility (free standing tower)</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>S</u>							

**5. Section 5.03 Form Based Districts Use Group by Category (Page 108):** Add “Lodging” as use in Use Group 5

**Issue:** Lodging facilities are not a listed use in the form-based code. Previous applications for lodging facility in the form-based districts have been required to go through a P.U.D. process. Lodging facilities are an intended use in the form-based districts. Not including this use was an oversight of the previous draft. Adding lodging to the code is consistent with the Master Plan and would clarify the intent of the zoning ordinance.

**Proposed Amendment Language:**

TABLE 5.03-A-1 USE GROUPS BY CATEGORY PRINCIPAL USE
Use Group 5
<u>Lodging</u>
Financial institutions
General retail
Retail, large-format
Shopping centers
Fitness, gymnastics, and exercise centers
Theatres and places of assembly
Indoor commercial recreation establishments
Restaurant
Personal services
Business services
Financial institutions
General retail

**6. Section 5.03 Form Based Standards Applicable to All Districts (Page 110):** Add “Section C” to add specific landscaping requirements in the Form Based Districts.

**Issue:** Section 13.02 outlines Landscaping requirements. These requirements are not district specific and rather apply throughout the city. These regulations include screening between uses, parking lot landscaping, greenbelt planting, and a requirement to provide at least 20% of the site landscaping. However, as recently discussed by the Planning Commission for the Big Beaver PUD, a 20% landscaping requirement for developments in the more urban and pedestrian oriented Form-Based districts might not be appropriate. Due to the building form requirements of the Big Beaver corridor, and the desire to build more “urban” style developments, obtaining

20% site landscaping is often difficult to obtain. Looking at other ordinances including City of Omaha and the City of Chicago, we recommend reducing the total percentage of site landscaping to 15% with options for relief.

**Proposed Amendment Language:**

<b>EXAMPLE: LANDSCAPE REQUIREMENT IN FORM-BASED DISTRICT</b>				
<b>Site Area</b>	<b>15% required landscaping</b>	<b>50% of 15% of required landscaping (greenscape)</b>	<b>25% of 15% of required landscaping (hardscape)</b>	<b>25% of 15% of required landscaping can be relieved through sustainable design option</b>
100,000 sq/ft	15,000 sq/ft	7,500 sq/ft	3,750 sq/ft	3,750 sq/ft

Section 5.03.C: Landscaping in Form-Based Districts

1. In addition to landscape requirements to Section 13.02, the following landscaping requirements shall apply:
  - a. Supplemental to Section 13.02.E.1.a, a minimum of fifteen percent (15%) of the site area shall be comprised of landscape material.
  - b. Landscaping can consist of approved trees, shrubs, ground cover, vines, grasses, or other approved plan material. Up to twenty-five (25%) of the required landscape area may be brick, stone, or pavers or other public plaza elements, but shall not include any parking area or required sidewalks.
  - c. Up to twenty-five (25%) of the required landscape area may be relieved through the Sustainable Design Option as outlined in Section 12.01.

**7. Section 6.10.C.1 and C.2 (Page 170):** Amend Section 6.10.C.1 and C.2 to reduce the width of drive-through drive-aisles from 12 feet to 10 feet.

**Issue:** The requirement of a 12-foot width for drive-through aisles is not necessary. First, due to adjacent buildings, other cars, and necessities to stop (order menus, pick-up windows, ATMs, tellers booths, etc) cars travel slower through drive-through aisles. Secondly, all drive-through aisles are one way, or separated via striping or curbs. 12-foot wide lanes are only necessary for two-way traffic. Reducing the width from 12-feet to 10-feet will not cause additional traffic conflict, will allow additional area for both building or landscaped area, and will have the added effect of naturally reducing automobile speed. The ten (10) foot drive-through aisle width is consistent with what was recently passed for bank uses in the Big Beaver form based district.

**Proposed Amendment Language:**

Section 6.10.C.1 and C.2:

Each drive-through facility shall provide stacking space meeting the following standards:

1. Each stacking lane shall be one-way, and each stacking lane space shall be a minimum of ~~twelve (12)~~ ten (10) feet in width and twenty (20) feet in length.

- 8. Add Section 6.31 (Page 170):** Add Section 6.31 to allow 1 story multi-family residential uses as permitted uses in the IB districts only for conversion of existing buildings.

**Issue:** Recognizing that some of the area devoted to manufacturing and industrial uses may be outdated and conducive to redevelopment of other uses, the IB District was created. The IB District is intended to continue to recognize more traditional manufacturing and industrial use; however encourage redevelopment and reuse of existing buildings and sites by permitting other compatible uses. The IB District recognizes the difficulty of certain sites for redevelopment and open up the list of uses accordingly. As such, the IB District permits a multitude of uses by-right ranging from multiple-family residential to shopping centers to light and medium industrial uses.

The current ordinance prevents the construction of one-story multi-family dwelling units. The intent of requiring multiple story multi-family structures is to require greater massing and scale. However, there are many existing one story buildings in the IB District that could be converted into multi-family. The proposed amendment to allow one-story multi-family dwelling units is only permitted for existing building in the IB district.

**Proposed Amendment Language:**

Section 6.31: Multi-family dwelling units in the IB District.

- A. One-story multi-family dwelling building is a permitted use in the IB district only through the conversion of an existing building.

- 9. Section 7.13.1.4 (Page 199):** Amend the maximum duration for outdoor special events from four (4) to seven (7) days.

**Issue:** Section 7.13.1.4 limits outdoor special events, such as grand openings and corporate, institutional, and community celebrations and fundraising activities, to a maximum of four (4) consecutive days. These four (4) days includes on-site event preparation, setup, and cleanup. Often due to on-site event preparation, setup, and cleanup, a maximum of four (4) days is not sufficient. Extending the time allowance from four (4) to seven (7) days would provide the necessary time to setup for the event, hold the event, and cleanup. Extending the time for outdoor events would not significantly impact traffic or public facilities (police, fire, etc).

**Proposed Amendment Language:**

Section 7.13.1.4:

The maximum duration of use shall be ~~four (4)~~ seven (7) consecutive days for any one (1) event, including setup and takedown, not to exceed four (4) events within a period of twelve (12) calendar months.

- 10. Section 16.03 (page 313):** Add standards for rezoning

**Issue:** While there are standards for conditional rezoning as outlined in Section 16.04; there are no standards for a straight rezoning outlined in Section 16.03. The ordinance should include standards for the Planning Commission and ultimately the City Council to consider in regards to

rezoning. Such standards can include consistency with Master Plan, impact upon public facilities, etc.

**Proposed Amendment Language:**

Section 16.03.C: Standards for Approval. A rezoning may only be approved upon a finding and determination that all of the following are satisfied:

- A. The proposed rezoning is consistent with the Master Plan. If the current zoning is in material conflict with the Master Plan, such conflict is due to one of the following:
  - 1. A change in City policy since the Master Plan was adopted
  - 2. A change in conditions since the Master Plan was adopted.
  - 3. An error in the Master Plan.
- B. The proposed rezoning will not cause nor increase any non-conformity.
- C. Public services and facilities affected by a proposed development will be capable of accommodating service and facility loads caused by use of the development.
- D. The rezoning will not impact public health, safety, and welfare.
- E. The rezoning will insure compatibility with adjacent uses of land.

**11. Single-Family Districts: Amend Frontage requirements**

**Issue:** There is not a minimum lot frontage requirement for lots in the R-1 districts. The requirement of minimum lot frontage, in combination with minimum lot size, depth, width, and setback ensures that newly created lots will be able to comply with all site development standards. Requiring a minimum lot frontage would ensure that the creation of new lots have the necessary access with the extension of a road that meets City of Troy requirement. A lack of minimum lot frontage requirement would allow the creation of a new lot by extending the road as a driveway. Furthermore, requiring a minimum lot frontage eliminates the creation of flag lots.

**Proposed Amendment Language:**

- Add Lot Frontage Definition to Article 2:

Lot Frontage: The frontage of any lot shall be the horizontal distance between the side lot lines measured between the points where said lot lines intersect the street right-of-way. Said frontage shall be continuous and unbroken and shall be measured along the constructed portion of the right-of-way only.

- Amend Table 4.06.C:

Minimum Lot Size Per Dwelling Unit				Maximum Height		Minimum Yard Setback (R) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Use District	Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft. (1)	In Stories (2)	In Feet (2)	Front	Sides		Rear		
						(3)	Least One (4)	Least Two (4)	(5)		
<b>R-1A</b>											
No Sewer	30,000	150	<u>150</u>	2 ½	30	40	15	30	45	1,400	30%
Sewer	21,780	120	<u>120</u>	2 ½		40	15	30	45	1,400	30%

R-1B											
No Sewer	21,780	110	<u>110</u>	2 ½	30	40	15	30	45	1,400	30%
Sewer	15,000	100	<u>100</u>	2 ½		40	10	25	45	1,400	30%
R-1C											
No Sewer	21,780	110	<u>110</u>	2 ½	30	30	15	30	40	1,200	30%
Sewer	10,500	85	<u>85</u>	2 ½		30	10	20	40	1,200	30%
R-1D											
No Sewer	21,780	110	<u>110</u>	2 ½	30	25	15	30	40	1,000	30%
Sewer	8,500	75	<u>75</u>	2 ½		25	8	20	40	1,000	30%
R-1E											
No Sewer	21,780	110	<u>110</u>	2 ½	30	25	15	30	35	1,000	30%
Sewer	7,500	60	<u>60</u>	2 ½		25	5	15	35	1,000	30%

- Amended Section 4.06.D Supplemental District Standards to add frontage language regarding corner lots and cul-de-sacs:

**Section 4.06.D.6: Lot Frontage on Corner Lots, Curved Roads, and Cul-de-Sacs**

- On all corner lots, the frontage set forth shall be measured on one (1) street only.
- For lots on curved streets that have curvilinear frontages, frontage shall be determined by measuring the linear distance along the curve.
- In the event that the lot is situated on a cul-de-sac, the frontage, shall be measured along the minimum setback line for the zone in which said lot is located.

**12. Section 4.21 Schedule of Use Regulations (p.100):** Add Extended Stay Facilities as a use to the schedule of use regulations.

**Issue:** There are at least two extended stay facilities in Troy. One is controlled by a consent judgment, and the other is in the MR, Multiple Family zoned district. While it is defined in Article 2 (Definitions), extended stay facilities are not a listed use in the ordinance. Previous practice considered these facilities most similar to hotel. However, hotel is not a permitted use in the multiple family districts. Thus this extended stay facility is considered non-conforming.

The table of uses should be amended to add extended stay facilities as a use. In consideration of similar uses, hotel uses is not most appropriate use to compare such use too. Rather, due to similar operations and impacts, these facilities are more similar to multiple-family and apartments uses, and should be regulated in a similar manner.

**Proposed Amendment Language:**

Section 4.21:

	R1-A through R-1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
Multiple Family Dwelling Unit (2-8 stories)	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP
Multiple Family Dwelling Unit (9 stories + )	NP	NP	NP	P	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP

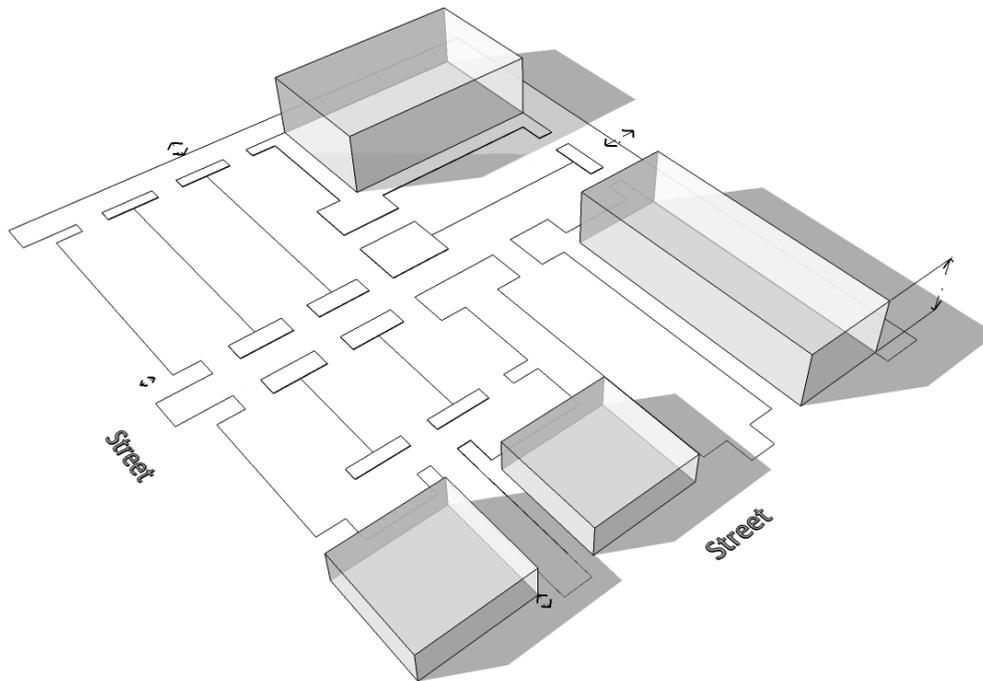
Lodging	NP	NP	NP	NP	NP	NP	NP	S	P	P	NP	S	NP	NP	NP
<u>Extended Stay Facility</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

**Minor:**

- Section 3.10.C.1.c and d (page 41):** Remove mention that the Planning Commission is the recommending body for Site Condominiums as the Planning Commission is the approving body, as outlined in Section 3.10.C.2.
- Section 4.07 Table (page 51):** Amend “5,000 without sewers” to “5,000 with sewers” and reduce side yard to 5’ for least one and 15’ for least two. Reducing side yard setbacks is consistent with R-1E lot requirements.

Minimum Lot Size Per Dwelling Unit			Maximum Height		Minimum Yard Setback				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
Area in Sq.Ft (1)	Width in Ft. (1)	Frontage in Ft.	In Stories (2)	In Feet (2)	Front (3)	Sides		Rear (5)		
						Least One (4)	Least Two (4)			
15,000 without sewers	75	N/A	2 ½	30	25	<del>10</del>	<del>20</del>	35	1,000	30%
5,000 with sewers	40	40				5	15			

- Section 4.14 Graphic (page 75):** Amend graphic to include an additional building mid-block (no substantive change to regulations). New Graphic:



4. **Section 4.06-4:18 (pgs. 47, 51, 55, 59,65, 71, 53, 75, 79, 83, 87, and 91):** Amend all district regulation tables so that legend icon is consistent in both graphic and tables. Example below:

Article 4  
District Regulations

BACK FORWARD



57

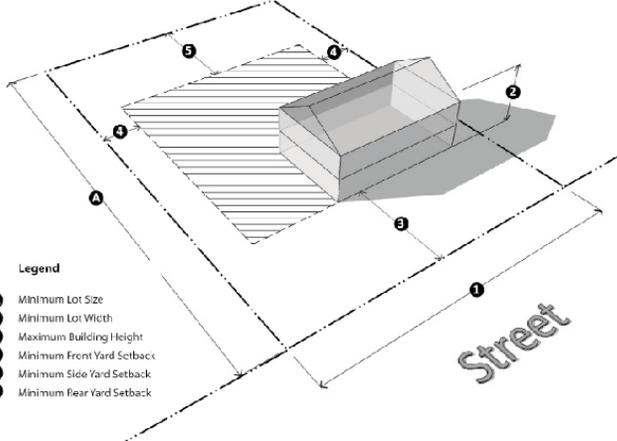
Authority and Administration

Development Regulations

Processes and Procedures

Supplemental Design Regulations

Non-Code Appeals/AMR



**Legend**

- A** Minimum Lot Size
- 1** Minimum Lot Width
- 2** Maximum Building Height
- 3** Minimum Front Yard Setback
- 4** Minimum Side Yard Setback
- 5** Minimum Rear Yard Setback

Use District	Minimum Lot Size Per Dwelling Unit		Maximum Height		Minimum Yard Setback (ft) (Per Lot in Feet)				Minimum Floor Area Per Unit (Square Feet)	Maximum % of Lot Area Covered by Buildings
	Area in Sq. Ft. <b>1</b>	Width in Ft. <b>1</b>	In Stories <b>2</b>	In Feet <b>2</b>	Front <b>3</b>	Sides Least One <b>4</b>	Least Two <b>4</b>	Rear <b>6</b>		
B-1A										
No Sewer	30,000	150	2 1/2	30	40	15	30	45	1,400	30%
Sewer	21,780	120	2 1/2		40	15	30	45	1,400	30%
B-1B										
No Sewer	21,780	110	2 1/2	30	40	15	30	45	1,400	30%
Sewer	15,000	100	2 1/2		40	10	25	45	1,400	30%
B-1C										
No Sewer	21,780	110	2 1/2	30	30	15	30	40	1,200	30%
Sewer	10,500	85	2 1/2		30	10	20	40	1,200	30%
B-1D										
No Sewer	21,780	110	2 1/2	30	25	15	30	40	1,000	30%
Sewer	8,500	75	2 1/2		25	8	20	40	1,000	30%
B-1E										
No Sewer	21,780	110	2 1/2	30	25	15	30	35	1,000	30%

5. **Section 4.21 Schedule of Regulations Table (page 98):** Amend “R-T” to “RT”
6. **Section 4.21 Schedule of Regulations Table (Page 99):** Add “P” to Retail, large-format for CB district
7. **Section 5.03 Form Based Districts Use Groups by Category Table (Page 108):** Remove bold and underline from “Drive-through facilities”
8. **Section 5.04, Section 5.05, and Section 5.06 Form Based District Use Groups Permitted Table (Page 133, 143, and 158):** Amend “Table 5.03-1” to “Table 5.03-A-1”
9. **Section 6.26, Section 6.27, and Section 6.28 (Page 179):** Change text color to black for “Vehicle Repair”, “Vehicle Sales –New, Used, and Vintage”, and “Vehicle Fueling / Multi-Use Station”
10. **Section 6.30.B.2 (Page 182):** Amend “Section 6.29.B.1” to “6.30.B.1”

- 11. Section 10.04.E.2 (Page 225):** Amend “Section 10.04.E.2” to refer to “Section 10.04.D”
- 12. Section 12.04.F.1 and 2.a.i (Page 251):** Amend “R-1T” to “RT”
- 13. Section 13.02 (Page 276):** Add the following label to table: “Table 13.02-C: Minimum Size and Spacing Requirements for Landscaping Materials”
- 14. Section 13.05.C.3 (Page 282):** Amend Section 13.05.C.3: Amend “in an industrial district where” to say “in the IB or PV districts when”

Please contact me if you have any questions.

---



---

CARLISLE/WORTMAN ASSOC., INC.  
Benjamin R. Carlisle, LEED AP, AICP